

county council is inapplicable, as there is no county organization in this locality, and that every lot and part of lot in both municipalities must pay its share of the debentures mentioned, annually, according to its assessed value, until the debentures have been fully satisfied.

Enforcing Maintenance of Deviating Townline.

247—R. M.—A. and B., two adjoining municipalities, maintain the townline between them jointly. Said townline for about two miles deviates from the original road and goes through A. then follows the original townline for about one mile, when it runs to the river, the boundary between the two counties. The deviating townline is maintained jointly owing to a bend in the river county line. Four farms are so situated in B. that the only place they can perform their statute labor is on said portion of townline, which they have done for upwards of 20 years, while the residents of A. perform their statute labor on their concession road. C., the commissioner of B., claims that A. ought to perform an equal number of days' work on said townline, as B. does, and put up a claim for the amount of work done by statute labor by B. on said road, which A.'s commissioner refuses to do, or yet to set apart a road division in A. to equal B.

1. Is there no way to compel A. to do an equal amount of work, or pay money opposite B.?

2. How long can an account between two municipalities run and be collected?

1. This townline, including the deviating portion of it, is under the joint jurisdiction of the adjoining townships, A. and B., (see section 622 of The Consolidated Municipal Act, 1903). Sub-section 1 of section 620 of the Act imposes upon these townships the duty to maintain this boundary line, presuming, of course, that it has not been assumed by the county council. If the township of A. fails to agree with township B. as to its share in the maintenance of this boundary line, application may be made to the county council in accordance with section 648 and following sections of the Act for the enforcing of the maintenance of this road. On the making of this application, section 651 provides that "the county council may determine the amount which each township interested shall be required to apply for the opening or REPAIRING of such lines of road, or may direct the expenditure of a certain portion of the STATUTE LABOR, or both, as may seem necessary to make the said lines of road equal to other roads."

2. This question is too indefinite to enable us to frame a satisfactory reply.

Council Cannot Regulate Assessment—Opening and Maintenance of Roads—Salary of Sanitary Inspectors—Penalty for Creating Nuisance.

248—D. D. G.—Is the following motion legal and binding?

1. Moved by M., seconded by C., That the aggregate assessment of the township be raised 25% this year?

2. In these districts where there is no county organization, how can the ratepayers in a township compel the council to open a certain road?

3. How can one township compel an adjoining township to pay its share of keeping the boundary road and bridges in repair?

4. What pay does the sanitary inspector in a township Board of Health get?

5. Are there any extras?

6. Is there any penalty for a man drawing a dead horse out of a town and dumping the same in a creek in another township, he being the owner of the carcass?

1. A municipal council has no legal authority to pass a resolution of this kind, nor can the assessor be bound by it. The extent of the council's duty in this regard is to appoint a competent man to fill the office, and he should use his own judgment in placing a value on property in the municipality for assessment purposes. Section 28 of The Assessment Act makes provision for the method of fixing the value of assessable property.

2. It is optional with a township council as to whether it passes a by-law pursuant to section 637 of The Consoli-

dated Municipal Act, 1903, after having strictly observed the preliminary proceedings mentioned in section 632 of the Act to open a highway for public travel, and it should not do so, unless the general convenience of the public requires it.

3. There is no provision for a case of this kind. Since there is no county organization in the locality, section 648 and following sections of The Consolidated Municipal Act, 1903, are inapplicable.

4. The Public Health Act (R. S. O., 1897, chapter 248,) does not fix the amount of the salary to be paid to sanitary inspectors. This is left to the discretion of the members of the councils who appoint them.

5. This depends on the arrangement entered into between the council and the sanitary inspector at the time of his appointment. If he is appointed at a fixed salary, he should perform ALL the duties pertaining to his office for that salary. If no salary is mentioned, he should be allowed a reasonable sum for all work he actually performs.

6. The depositing of this dead animal in the creek is the creation of a nuisance. The guilty party should be notified to abate the nuisance in accordance with the provisions of section 69 of The Public Health Act (R. S. O., 1897, chapter 248). If he does not abate the nuisance within the time specified in the notice, the local Board of Health may do so, and recover the expense of so doing from the party in default, as provided in section 71 of the Act.

Township Treasurer Cannot be Trustee or Treasurer of Public School Section.

249—J. L. S.—1. Can a township treasurer be also treasurer of a school section?

2. Can a township treasurer be a trustee for a school section?

My own opinion is that he cannot hold both these offices at the same time because the trustees have to issue orders on the township treasurer. The school treasurer has to draw money from the township treasurer. The township treasurer would be issuing orders on himself if he were trustee or school treasurer.

1 and 2. We agree with you, as we deem these offices incompatible. As treasurer of a school section or school trustee, his duties would frequently clash with those he is called upon to perform as treasurer of his township.

Fees of County Treasurer—Descriptions in Tax Deed.

250—Y. Z.—In many instances, as county treasurer, I am requested by a purchaser to include in one and same tax deed many parcels or lots of land, descriptions of which require even special blanks on account of space.

1. May I charge one dollar for each purchased parcel or lot under section 201 of The Assessment Act?

2. Would such description (the west sixteen acres of north-east quarter of lot number —, concession —, township —, county —), without saying or reciting how butted and bounded, be sufficient?

1. Unless the purchaser or his assignee otherwise requests or directs, the treasurer may execute a deed for each separate parcel of land sold, and for each such deed charge the sum of one dollar. If, however, the purchaser requests the treasurer to include more than one parcel of land sold him, in the deed, he must do so, to comply with the provisions of section 201, and is entitled to only \$1.00 for preparing the deed.

2. This description may or may not be sufficient. If the lot runs directly north and south, the description is sufficient. It would mean a strip of uniform width off the west side of the north-east quarter of the lot. Land should always be described in such a way that a surveyor can take the deed and make an accurate survey of the lands from the description contained in the deed.